

REMARKS/ARGUMENTS

The Official Action dated 25 October 2004 has been carefully considered, along with cited references, applicable sections of the Patent Act, Patent Rules.

The use of the trademark “PHILLIPS” has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

In response, the trademark “PHILLIPS” in the specification has been amended or capitalized as suggested by the Examiner.

Claim 2 contains the trademark/trade name “PHILLIPS”. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. § 112, second paragraph. The claim scope is uncertain since the trademark or trade name can not be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name.

In response, claim 2 has been deleted.

Claims 1-2 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hoy, Zuker, or Reed.

Applicant respectfully submits that the present invention is

significantly different from that of the cited arts as can be seen from their respective structures. Applicant's invention as specified in the amended claim 1 is patentably distinguishable over these references when taken either singularly or in combination for the following reasons:

The Examiner cites either Hoy, or Zuker, or Reed as an example anticipating claims 1-2.

Actually, in Hoy, as shown in FIG. 3 and as disclosed in col. 3, lines 44-52, the particles (8) are applied to the working surfaces (5) with an embedment layer which is then also applied by electroplating. Nickel is also selected for the embedment layer (9). Accordingly, the particles (8) are attached to the working surfaces (5) with the embedment layer (9) of nickel materials by electroplating process, such that the particles (8) may have a great chance to be detached from the working surfaces (5) after use.

In Zucker, as shown in the drawings and as disclosed in col. 4, lines 12-53, the abrasive particles and powdered brazing alloy are required to be temporarily bound to the opposite faces of the screwdriver blade, by mixing solutions with the abrasive particles and powdered brazing alloy, for applying or attaching onto the opposite faces of the screwdriver blade, and are then required to be heated in the order of 1700 to 2200°F. The abrasive particles and powdered brazing alloy are thus adhered and heated onto the opposite faces of the screwdriver blade, and also may have a great chance to be detached from the screwdriver blade after use.

In Reed, as disclosed in col. 2, lines 37-40, the entire bit end of the driving tool is subjected to surface impacting by shot peening,

or as it is sometimes called, shot blasting, such that the abrasive particles are required to be secured onto the bit end of the driving tool with additional adhesive materials and are also required to be heated in the order of 1630°F. The abrasive particles may also have a great chance to be detached from the tool bit of the driver tool or screwdriver blade after use.

By contrast, in Applicant's invention, as amended in the amended claim 1, the projections (23) are extended outwardly from the engaging surface (22) of the blade (21) and formed on the engaging surface (22) of the blade (21) with a forging process, to form a plurality of recesses (24) between the projections (23). The projections (23) may thus be formed on the engaging surface (22) of the blade (21) with forging processes without adhering materials, and without heating processes, and thus will not be easily disengaged from the engaging surface (22) of the blade (21) after use.

The cited arts fail to teach a driving shank (20) of a driving tool including a number of projections (23) formed on the engaging surface (22) of the blade (21) with a forging process, to form a plurality of recesses (24) between the projections (23), with forging processes, without adhering materials, and without heating processes. The applicant's invention is different from that of the cited arts and has improved over the cited arts.

In view of the foregoing amendments and remarks, applicant respectfully submits that the present invention is patentably distinguishable over the cited arts and that the application is now in condition for allowance, and such action is earnestly solicited.

Courtesy and cooperation of Examiner MEISLIN are
appreciated.

respectfully submitted,

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